

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

JOHN J. DIAMONT, JR.,

Defendant.

CRIMINAL NO. 05-10154-MLW

**ASSENTED-TO MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSE TO GOVERNMENT’S PROFFER OF EVIDENCE  
IN ANTICIPATION OF “PETROZZIELLO” RULING**

Defendant John Diamont moves the Court for a two-day extension of time to file his Response to the Government's Proffer of Evidence in Anticipation of "Petrozziello" Ruling. Per the Court's December 14, 2006, Order, the government filed its Proffer on January 12, 2007. Based on the Order, Diamont's Response to the Proffer apparently was due on January 17, 2007. Diamont is filing his Response today. The brief additional time was necessary in order for the defense to conduct additional witness interviews and obtain witness statements relating to the matters the government raised in its Proffer. The government assents to this Motion.

WHEREFORE, the defendant asks the Court for permission to file his Response to the Government's Proffer of Evidence in Anticipation of "Petrozziello" Ruling on January 19, 2007, rather than January 17, 2007.

Respectfully submitted,

JOHN DIAMONT

By his attorneys,

/s/ Lauren Papenhausen  
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Dated: January 19, 2007

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)**

Pursuant to Local Rule 7.1(A)(2), the undersigned counsel for defendant John Diamont hereby certifies that defense counsel have conferred with counsel for the government and have attempted in good faith to resolve or narrow the issues presented in this Motion. The government has assented to this Motion.

/s/ Lauren Papenhausen

**CERTIFICATE OF SERVICE**

I, Lauren M. Papenhausen, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 19, 2007.

/s/ Lauren Papenhausen

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